

Message Text

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ACTION EB-07

INFO OCT-01 ARA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

 DOTE-00 INR-07 NSAE-00 FAA-00 L-03 SS-15 NSC-05 /046 W

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P R 261505Z JUL 75

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC PRIORITY 604

INFO AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

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E.O.11652: N/A

TAGS: EAIR, BR

SUBJECT: CIVAIR: CONGONHAS PROBLEM

REF: A. STATE 171274 B. BRASILIA 5468 C. BRASILIA 6214

1. LATE ON JULY 24, 1975, CONGEN RIO OFFICER WAS CALLED IN BY BRIG. WALDIR VASCONCELOS, DAC DIRECTOR OF PLANNING (POSSIBLY UPON ADVISE FROM BRASILIA ON PRESENTATION OF DIPLOMATIC NOTE REQUESTING CONSULTATIONS). BRIG VASCONCELOS SPOKE OF TWO TOPICS DURING COURSE OF DISCUSSION: 1) PANAM REQUEST FOR FARE REDUCTION: AND 2) DAC ACTION ON VARIG TRAFFIC TO CONGONHAS. (REQUEST FOR FARE REDUCTION WILL BE DISCUSSED IN SEPARATE CABLE.). BRIG. VASCONCELOS EXPLICITLY REQUESTED THAT HIS COMMENTS BE REPORTED BACK TO WASHINGTON ASAP.

2. ON CONGONHAS ISSUE, BRIG. VASCONCELOS STATED THAT DAC HAD ORDERED VARIG TO NATIONALIZE ALL CONGONHAS BOUND PASSENGERS AND BAGGAGE AT GALEAO INTERNATIONAL AIRPORT IN TIO. VARIG PASSENGERS BOUND FOR SAO PAULO/CONGONHAS TO AND FROM THE UNITED STATES WILL NOW GO THROUGH CUSTOMS AND IMMIGRATION AT GALEAO, BECOMIN DOMESTIC PASSENGERS AT THAT POINT AND PRESUMABLY ARE FREE TO USE ANY DOMESTIC

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LINE TO CONTINUE TO SAO PAULO. THIS ACTION WOULD

PLACE THESE PASSENGERS ON THE SAME FOOTING AS
PANAM PASSENGERS FOR SAO PAULO/
CONGONHAS. IT IS
PRESUMED THAT VARIG WILL CONTINUE TO FLY ITS
NORMAL DOMESTIC FLIGHTS FROM GALEAO TO CONGONHAS.

3. BRIG. VASCONCELOS STATED THAT THE DAC ORDER
TO VARIG WAS GIVEN ON JULY 24, 1975. HE NOTED
COMPLIANCE WOULD TAKE 7 - 10 DAYS. HOWEVER,
ORDER, EVEN THOUGH OFFICIAL, WOULD NOT RPT NOT BE
PUBLISHED IN DIARIO OFFICIAL. CONGEN RIO WILL
ATTEMPT TO CONFIRM THE ORDER ON JULY 25 WITH INDEPENDENT SOURCES.
CONGEN RIO EXPECTS VARIG TO PROTEST THIS ORDER VIGOROUSLY.

4. ONCE VARIG CONGONHAS PASSENGERS ARE NATIONALIZED
AT GALEAO GOB MAY FEEL THAT IT HAS COMPLIED WITH THE
TERMS OF THE US/BRAZIL BILATERAL. IT MAY, OF
COURSE, ATTEMPT TO ALLOW VARIG TO HAVE PREFERENTIAL
ACCESS. HOWEVER, NATIONALIZATION IN RIO WILL
MEAN THAT THE ONWARD SEGMENT OF THE FLIGHT WILL
BE DOMESTIC FLIGHT.

5. THE NEED FOR CONSULTATIONS AND FOR CONTINUED
APPLICATION OF PART 213 ORDER APPEARS TO HAVE
ABATED. EMBASSY BELIEVES THE OTHER OUTSTANDING
AVIATION ISSUES MAY WELL BE BEST RESOLVED BY FRANK
INFORMAL DISCUSSION AT THE WORKING LEVEL.

6. REFTEL B. REFERS TO THE RESOLUTION OF DOUBLE
NUMBERING AND CHANGE OF GAUGE PROBLEMS. (FONOFF
NOTE ADVISING EMBASSY OF DAC APPROVAL OF PANAM
SCHEDULE BEING TRANSMITTED SEPTTEL.) BRIG. VASCONCELOS
MADE IT QUITE CLEAR THAT THE CHANGE OF
GAUGE HAD BEEN SPECIFICALLY CONSIDERED BY THE DAC
IN THE JULY 1, 1975 SCHEDULE. PARA 4, REFTEL B., (FIRST
SENTENCE), NOTES THAT THIS MAY BE GUIDE TO GOB POLICY AND COMMENT
SEEMS TO HAVE BEEN BORNE OUT. DAC NOW SEEMS
TO FEEL THAT TWO MAJOR CONCESSIONS HAVE BEEN MADE
AND THAT CAB ACTION SHOULD BE LIFTED. CHANGE OF
GAUGE/DOUBLE NUMBERING AND NATIONALIZATION OF
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PAASSENGERS AT GALEAO SHOULD HELP IN SOME MEASURE, EQUALIZE
PANAM'S COMPETITIVE SITUATION VIS-A-VIS VARIG.

7. SUGGESTED ACTION: CONSIDERING WHAT WE BELIEVE
TO BE GOOD FAITH EFFORT ON PART OF BRAZILIAN CIVIL
AVIATION AUTHORITIES TO RESOLVE PROBLEM, EMBASSY
RECOMMENDS FURTHER CAB ACTION BE HELD IN ABEYANCE
PENDING IMPLEMENTAION OF DAC ORDER TO VARIG AND

GOB RESPONSE TO EMBASSY'S NOTE.

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